HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.10348 of 1998

Dated 20th day of March, 2007

Between:

V.V.Armugam Swamy ..
Petitioner

And

The Mandal Revenue Officer,
Satyavedu Mandal, Chittoor Dist.
and another ..
Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in taking steps to evict the petitioner from his lands situated in various Survey Nos. of Pedda Etipakam village without following the procedure prescribed under the A.P. Land Encroachment Act, 1905 (for brevity "the Act), as arbitrary and illegal,

The brief facts of the case are that the petitioner has been in possession and enjoyment of the lands admeasuring Ac.300.00 cents in S.No.399-1, Ac.2.96 cents in S.No.399-2, Ac.0.75 cents in S.No.397-2 and Ac.0.75 cents in S.No.397-4 situated in Pedda Etipakam village for several decades and paying land revenue to the Government regularly. Now, the petitioner's grievance is that the respondents, without following due process of law, are trying to evict him from the lands in question.

In spite of the fact that notices were served on the respondents, they have not chosen to file any counter.

Having heard the learned counsel for both the parties and perused the material placed on record, this Court is of the view that the action of the respondents in trying to dispossess the petitioner from the lands in question without following due process of law is definitely illegal. Hence, this Court deems it appropriate to direct the respondents not to dispossess the petitioner from the lands in question without following the procedure prescribed under law.

With the above direction, the writ petition is disposed of. No costs.

_____

20.03.2007

bcj